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CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on Sept. 19, 2006

Julie Campbell
Julie Campbell

In Re Application of:

Berstein, et al.

Serial No.: **09/885,373**

Filed: **06/20/2001**

For: **System for Real Time Voice Quality
Measurement in Voice Over Packet Network**

Confirmation No.: **4200**

Group Art Unit: **2662**

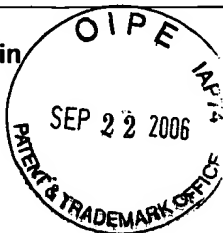
Examiner: **MARCELO, Melvin C.**

Docket No. **052601-1030**

The following is a list of documents enclosed:

Return Postcard
Petition for Revival of an Application for Patent Abandoned Unintentionally
under 37 CFR 1.137(b)
Power of Attorney by Assignee (Revocation of Prior Powers)
Certificate of Right of Assignee to Take Action
Notification of Loss of Entitlement of Small Entity Status
Amendment Transmittal Page
Amendment and Response
Credit Card Payment form in the amount of \$9500.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
052601-1030First Named Inventor: **Berstein**Application No.: **09/885,373**Filed: **06/20/2001**Group Art Unit: **2184**Examiner: **Melvin C. Marcelo**

Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 FAX (703-872-9306)

NOTE: If information or assistance is needed in completing this form, please contact Petitions
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and patent applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition Fee

☐ Small entity – fee **\$750.00** (37 C.F.R. 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee **\$1,500.00** (37 C.F.R. 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

09/25/2006 MGE BREH1 00000009 09885373

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

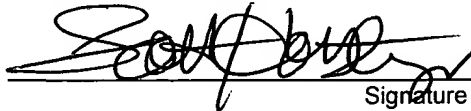
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of **\$55.00** for a small entity or **\$110.00** for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **Statement.** The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

09/19/06
Date


Signature

Telephone Number: (770) 933-9500

Scott A. Horstemeyer, Reg. No. 34,183

Typed or printed name

Thomas, Kayden, Horstemeyer & Risley LLP
100 Galleria Parkway
Suite 1750
Atlanta, GA 30339

Enclosures:

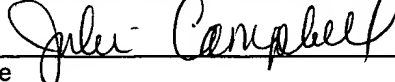
- ☒ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☐ Other:

CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Sept. 19, 2006
Date


Signature

Julie Campbell
Typed or printed name